

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: TAKAYAMA=10

OCT 23 2002
USPTO
JC98
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re Application of:

H. TAKAYAMA et al.

Appln. No.: 10/069,481

Filed: February 27, 2002

For: 2 α -SUBSTITUTED VITAMIN
D DERIVATIVES

) Conf. No.: 3430

) Art Unit: 1616

) Examiner:

) Washington, D.C.

) October 23, 2002

)

OCT 28 2002
RECEIVED
TECH CENTER 1600/2000

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir :

10/24/2002 SSESHE1 00000093 10069481

01 FC:1806

180.00 OP

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

[X] C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary

certification (box "i" below) or paid the necessary fee (box "ii" below).

[] i. Counsel certifies that, upon information and belief, each item of information listed herein was either

[] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

[] ii. A check (check no. _____) for the fee set forth in §1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[X] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.

[X] 3. Document AA is not in the English language.

In accordance with §1.98(a)(3), Applicant(s) states:

[X] An English translation of each document AA (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 5. Other information being provided for the examiner's consideration follows:

Attached hereto is the corresponding European Search Report

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,
BROWDY AND NEIMARK
Attorneys for Applicant(s)

By:


Sheridan Neimark
Reg. No. 20,052

SN:lt
624 Ninth Street, N.W., Suite 300
Washington, D.C. 20001-5303
Telephone: (202) 628-5197
Facsimile: (202) 737-3528

| | | | |
|--|---|----------------------|------------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Application Number | 10/069,481 |
| (use as many sheets as necessary) | | Filing Date | February 27, 2002 |
| | | First Named Inventor | H. Takayama et al. |
| | | Group Art Unit | 1616 |
| | | Examiner Name | |
| Sheet | 1 | of | Attorney Docket Number |
| | | | TAKAYAMA=10 |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|--|----|------------------------|--------------------|
| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | Application Number | 10/069,481 |
| | | Filing Date | February 27, 2002 |
| | | First Named Inventor | H. Takayama et al. |
| | | Group Art Unit | 1616 |
| | | Examiner Name | |
| Sheet | of | Attorney Docket Number | TAKAYAMA=10 |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.